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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,427	12/21/2001	Pekka Koponen	4208-4072	5709
27123 7590 06/26/2007 MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			EXAMINER ELALLAM, AHMED	
			ART UNIT 2616	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary

Application No.

10/032,427

Applicant(s)

KOPONEN ET AL.

Examiner

AHMED ELALLAM

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to Amendment filed on 04/05/2007.

Claims 1-25 are pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pettersson et al, US 6,615,057. Hereinafter referred to as Pettersson.

Regarding claim 1, with regard to figure 4, 6a and 9, Pettersson discloses a method for communicating information between a wireless communication unit 302 having subscriber identity unit 303a (claimed first wireless communication device) and a wireless communication system 101, (claimed communications network) via a wireless terminal 403 (claimed particular second wireless communication device), the communication network (not explicitly shown in figure 4) is the wireless terminal own network as indicated by the second antenna 402 that is used for communicating information by the wireless terminal 402 its own network, see column 7, line 14-17. (Claimed the communications network being the second wireless communication device's own communications network), Pettersson also discloses communicating

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subscriber identity from the subscriber identity unit 302 to the wireless communication terminal, see column 12, lines 34-37, (claimed supplying user identification data of said first wireless communication device to said second wireless communication device); the wireless terminal using the communicated user data to communicate with the wireless communication system, see column 12, lines 31-39 (see also claim 1), (claimed making a contact from the second wireless communication device to its own communications network using the user identification data of the first wireless communication device)

Regarding claim 15, with regard to figure 4, 6a and 9, Pettersson discloses a wireless communication unit 302 having subscriber identity unit 303a (claimed wireless communication device) for communicating between and a wireless communication system 101, (claimed communications network) via a wireless terminal 403 (claimed particular second wireless communication device), the communication network (not explicitly shown in figure 4) is the wireless terminal own network as indicated by the second antenna 402 that is used for communicating information by the wireless terminal 402 to its own network, see column 7, line 14-17. (Claimed the communications network being the second wireless communication device's own communications network), the wireless communication unit 302 comprising means 304 for communicating subscriber identity from the subscriber identity unit 302 to the wireless communication terminal, see column 12, lines 34-37, (claimed means for supplying user identification data of the wireless communication device to the second wireless communication device); the wireless terminal using the communicated user data to communicate with the wireless communication system using transceiver means 402, see column 12, lines 31-39 (see

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also claim 1), (means for causing the second wireless communication device to make a contact to the second wireless communication device's own communications network using the user identification data of the wireless communication device)

Regarding claim 16, with regard to figure 4, 6a and 9, Pettersson discloses a wireless communication unit 302 having subscriber identity unit 303a (claimed second wireless communication device) for communicating between and a wireless communication system 101, (claimed communications network) via a wireless terminal 403 (claimed wireless communication device), the communication network (not explicitly shown in figure 4) is the wireless terminal own network as indicated by the second antenna 402 that is used for communicating information by the wireless terminal 402 to its own network, see column 7, line 14-17. (Claimed the communications network being the wireless communication device's own communications network), the wireless communication unit 302 comprising means 304 for communicating subscriber identity from the subscriber identity unit 302 to the wireless communication terminal, the wireless communication terminal having means 401 for receiving the communicated user identification information from the wireless communication unit 302, see column 12, lines 34-37, (claimed means for receiving user identification data of said second wireless communication device); the wireless terminal using the communicated user data to communicate with the wireless communication system using transceiver means 402, see column 12, lines 31-39 (see also claim 1), (claimed wireless communication device comprises means for making a contact from the wireless communication device

to its own communications network using the user identification data of the second wireless communication device).

As to claims 1, 15 and 16:

The difference between Pettersson and claims 1, 15 and 16 is that Pettersson doesn't explicitly specify communicating information between the first wireless communication device and the communications network via the second wireless communication device using user identification data as in claim 1; using the user identification data of the wireless communication device for communicating information between the wireless communication device and the communications network via the second wireless communication device, as in claim 15; and using the user identification data of the second wireless communication device for communicating information between the second wireless communication device and the communications network via the wireless communication device, as in claim 16.

However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to transmit other information other than the user identification data from the subscriber identity terminal via the wireless terminal to its own network as evidenced by the teaching of units 302 and 403 of being stations having at least the subscriber identity unit, (Pettersson, column 6, lines 43-46. A person of skill in the art would be motivated to do so by recognizing the benefit of having the unit 402 as a repeater resulting in extending the range of communication between station 302 and the wireless communication system. (Pettersson, column 7, lines 66-column 8, lines 1-3). It is also advantageous to use the subscriber unit device 302 as a mobile device

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for communication with the wireless communication system in addition to the exchange of user identification data.

Regarding claim 2, with reference to figure 6a, Pettersson shows the mobile phone 403 own communication network (BTS1) is the closest communication network in which the second wireless communication device is arranged to operate.

Regarding claim 3, Pettersson discloses the wireless communication system in which the mobile station are operating is a cellular mobile phone system. See column 5, lines 46-57. (Claimed second wireless communication device is a communication device of a cellular network, and second wireless communication device's own communications network is a cellular network).

Regarding claim 4, Pettersson with reference to figure 6a, shows the mobile phone 403 is closer to the BTS1 than the subscriber identity unit 302, (claimed second wireless communication device is closer to the communications network than the first wireless communication device); Pettersson further discloses a VLR (Visitor Location Register) for providing a visiting subscriber identity for addressing a visitor, see column 5, lines 21-31. (Claimed connection between the second wireless communication device and the communications network is identified on the basis of data transmitted from a wireless communication device further away from the communications network).

Regarding claim 5, Pettersson discloses communicating subscriber identity from the subscriber identity unit 302 to the wireless communication terminal on the initiative of the subscriber identity unit, see column 12, lines 34-37 and figure 9 step 903 and 904, (Claimed second wireless communication device establishes a connection to its

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own communications network on the basis of the user identification data of the first wireless communication device and on the initiative of the first wireless communication device).

Regarding claim 6, Pettersson discloses communicating subscriber identity from the subscriber identity unit 302 to the wireless communication terminal on the initiative of the subscriber identity unit; see column 12, lines 34-37. (Claimed the second wireless communication device establishes a connection to its own communications network on behalf of first wireless communication device).

Regarding claims 7 and 10, Pettersson doesn't specify Information content from a particular server of a particular service provider, is distributed via the communications network and mobile phone 403 (claimed second wireless communication device) to subscriber identity unit) (claimed first wireless communication device) in such a manner that the information content is transferred from the server via the communications network to mobile phone 403, and the information content is transmitted from mobile phone 403 to the first wireless communication device over a short-range link. However, as discussed above with regard to claim 1, a skilled artisan implementing the Subscriber identity unit 302 as a mobile phone would recognize the need to use the mobile phone 403 as an ad-Hoc wireless terminal (i.e. proxy device) for receiving content data from the Internet. The advantage would be the provisioning of Internet content to the subscriber identity unit when implemented as a mobile device.

Regarding claim 8, Pettersson with reference to figure 9, shows the transfer of information between unit 303a and wireless communication terminal over a local

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wireless link, and between the wireless communication terminal and the BTS1 over a cellular network connection.

Regarding claim 9, Pettersson with reference to figure 4, shows a short range wireless link 404 between subscriber identity unit 302 and the wireless terminal 403.

Regarding claim 11, Pettersson discloses the user identification data is an IMSI, see column 12, lines 45-47.

Regarding claim 12, as discussed above with reference to claim 1, Pettersson discloses using user identification data to contact the wireless communication network system; Pettersson also discloses the user identification data is IMSI (The IMSI is required for registration by standard). (Claimed second wireless communication device registers to its own communications network using the user identification data of the first wireless communication device).

Regarding claim 13, the difference between Pettersson and claim 13, is that while Pettersson specify connection from the wireless device 403 (claimed first wireless communication device) to its own communications network using the user identification data of subscriber identity unit (as discussed above with reference to claim 1), it doesn't explicitly specify using the connection for transferring information between subscriber identity unit and the wireless communications network via the wireless communication device 403.

However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to transmit other information other than the user identification data from the subscriber identity terminal via the wireless terminal to its

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own network as evidenced by the teaching of units 302 and 403 of being stations having at least the subscriber identity unit, (Pettersson, column 6, lines 43-46. A person of skill in the art would be motivated to do so by recognizing the benefit of having the unit 402 as a repeater resulting in extending the range of communication between station 302 and the wireless communication system. (Pettersson, column 7, lines 66-column 8, lines 1-3). It is also advantageous to use the subscriber unit device 302 as a mobile device for communication with the wireless communication system in addition to the exchange of user identification data.

Regarding claim 14, Pettersson shows a mobile phone being an n electronic organizer 403f, figure 6a. (Claimed wireless communication device eBookk device).

Regarding claims 17, 20 and 23, Pettersson discloses the user identification data is an International Mobile Subscriber Identity (IMSI), the IMSI indicating a GSM operator. (Claimed user identification data comprises an operator identifier).

Regarding claims 18, 21 and 24, Pettersson discloses the user identity unit 302 comprises a SIM (Subscriber Identity Module) Card. See column 12, lines 34-36. (Claimed first wireless communication device is configured to receive a user data identification module comprising user identification data of the user of the first wireless communication device).

Regarding claims 19, 22 and 25, Pettersson discloses the user identity unit 302 comprises a SIM (Subscriber Identity Module) Card. See column 12, lines 34-36. The SIM comprising user identification data, which is an International Mobile Subscriber Identity (IMSI), see column 12, lines 44-47. (The IMSI indicating a GSM operator by

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standard). (Claimed user data identification module is a module of a first operator, with the aid of which module the first wireless communication device can register, via the second wireless communication device, to a network operated by the first operator).

Response to Arguments

3. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: See Form PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AHMED ELALLAM whose telephone number is (571) 272-3097. The examiner can normally be reached on 7-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AHMED ELALLAM
Examiner
Art Unit 2616
6/22/07

A handwritten signature in black ink, appearing to be 'W. Chin', with a long horizontal line extending to the right.

WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER